



0000025048

## BEFORE THE ARIZONA CORPORATION COMMISSION

DOCKETED

MAY 04 2001

WILLIAM A. MUNDELL

Chairman

JIM IRVIN

Commissioner

MARC-SPITZER

Commissioner

DOCKETED BY

sd

IN THE MATTER OF THE APPLICATION  
OF QWEST CORPORATION F/K/A U S WEST  
COMMUNICATIONS, INC., FOR APPROVAL  
OF A PAGING CONNECTION AGREEMENT  
WITH WEBLINK WIRELESS, INC.

DOCKET NO. T-01051B-01-0212

DECISION NO. 63645ORDER

Open Meeting  
May 1 and 2, 2001  
Phoenix, Arizona

BY THE COMMISSION:

FINDINGS OF FACT

1. On March 8, 2001, Qwest Corporation ("Qwest") f/k/a U S WEST Communications, Inc., filed an application for approval of an Interconnection Agreement between Qwest, and Weblink Wireless, Inc. ("Weblink"). The term of the Agreement shall be effective upon Commission approval and remain in effect until January 18, 2002. Upon expiration, the Agreement shall remain in force and effect until terminated by either party on one hundred sixty (160) days written notice. The Agreement governs the terms and conditions under which Qwest will offer interconnection to Weblink.

2. The Telecommunications Act of 1996 ("1996 Act") directed incumbent local exchange carriers to make their networks available for interconnection and resale by new entrants to the local exchange market. The 1996 Act provides for interconnection and resale agreements to be concluded by voluntary negotiation.

3. This Agreement between Qwest and Weblink was voluntarily negotiated, without resort to arbitration.

4. Under the terms of the Agreement, Qwest will provide services to interconnect its network with Weblink Wireless' network. The Agreement covers both Type 1 and Type 2 Paging

1 Connection Service which enables Qwest's end users and other telecommunications carriers  
2 transiting Qwest's network to page end users of Weblink's network.

3 5. According to the 1996 Act and Commission Rule, the Commission must approve  
4 voluntarily negotiated interconnection and resale agreements, if their provisions are non-  
5 discriminatory and in the public interest.

6 6. Staff has reviewed the Agreement and finds it to be non-discriminatory and in the  
7 public interest. Qwest is offering the same terms and conditions of the Agreement to all other  
8 interested parties. The Agreement is in the public interest because it will act to further competition  
9 in the local exchange market in Arizona.

10 7. Since there are no grounds for rejection of the Agreement pursuant to Section  
11 252(e)(2)(A) of the 1996 Act, Staff has recommended that the Commission approve the  
12 Interconnection Agreement between Qwest and Weblink.

13 CONCLUSIONS OF LAW

14 1. Qwest is an Arizona public service corporation within the meaning of Article XV,  
15 Section 2, of the Arizona Constitution.

16 2. The Commission has jurisdiction over Weblink and over the subject matter of the  
17 Application.

18 3. The Commission, having reviewed the Application and Staff's Memorandum has  
19 determined that the Interconnection Agreement negotiated between Qwest and Weblink meets the  
20 requirements of Section 252(e)(2)(A) of the 1996 Act which governs the approval of voluntarily-  
21 negotiated agreements and is in the public interest.

22 4. The Commission maintains jurisdiction over the subject matter of the Agreement  
23 and Amendments thereof, to the extent permitted pursuant to the powers granted the Commission  
24 by the Arizona Constitution, Statutes, Commission Rule, and the 1996 Act and the Rules  
25 promulgated thereunder.

26 ...

27 ...

28 ...

ORDER

THEREFORE, IT IS ORDERED that the Commission hereby approves the Interconnection Agreement between Qwest and Weblink filed on March 8, 2001.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

**BY ORDER OF THE ARIZONA CORPORATION COMMISSION**  
CHAIRMAN  
COMMISSIONER  
COMMISSIONER

IN WITNESS WHEREOF, I, BRIAN C. McNEIL, Executive Secretary of the Arizona Corporation Commission, have hereunto, set my hand and caused the official seal of this Commission to be affixed at the Capitol, in the City of Phoenix, this 4<sup>th</sup> day of May, 2001.

  
BRIAN C. McNEIL  
Executive Secretary

DISSENT: \_\_\_\_\_

DRS:EAA:lhmm/MAS

1 SERVICE LIST FOR: Qwest Corporation and Weblink Wireless, Inc.  
2 DOCKET NO. T-01051B-01-0212

3 Ms. Theresa Dwyer  
4 Fennemore Craig  
5 3003 North Central Avenue, Suite 2600  
6 Phoenix, Arizona 85012

7 Mr. Michael Lambring  
8 Weblink Wireless, Inc.  
9 3333 Lee Parkway, Suite 1200  
10 Dallas, Texas 75219

11 Mr. Timothy Berg  
12 Fennemore Craig  
13 3003 North Central Avenue, Suite 2600  
14 Phoenix, Arizona 85012

15 Mr. Christopher C. Kempley  
16 Chief Counsel  
17 Arizona Corporation Commission  
18 1200 West Washington  
19 Phoenix, Arizona 85007

20 Ms. Deborah Scott  
21 Director, Utilities Division  
22 Arizona Corporation Commission  
23 1200 West Washington  
24 Phoenix, Arizona 85007  
25  
26  
27  
28